

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)
134391.00114

In re Application of: Per HOLM

Application No.: 10/569,862 – Conf #2548

Filed: June 13, 2006

For: MODIFIED RELEASE COMPOSITIONS COMPRISING TACROLIMUS

The owner*, LifeCycle Pharma A/S, of 100
percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of
any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any
patent granted on pending **reference** Application Number 10/569,863, filed on June 13, 2006,
as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may
be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner
hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it
and any patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on
the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that
would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said
reference application, "as the term of any patent granted on said **reference** application may be shortened by any terminal
disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted
on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a
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canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term
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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency,
etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
information and belief are believed to be true; and further that these statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United
States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 41,151

/Jay P. Lessler/ September 7, 2010
Signature Date

Jay Lessler
Typed or printed name

(212) 885-5000
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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